

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KANDUS DAKUS, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

KONINKLIJKE LUCHTVAART
MAATSCHAPPIJ, N.V.,

Defendant.

Civil Action No. 1:22-cv-07962-RA

**DECLARATION OF KEARA M. GORDON IN SUPPORT OF KLM'S RESPONSE TO
PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE**

I, KEARA M. GORDON, declare pursuant to 28 U.S.C. § 1746:

1. I am a member of the bar of the State of New York and am admitted to the bar of this Court. I am a partner with the law firm of DLA Piper LLP (US), attorneys for Defendant Koninklijke Luchtvaart Maatschappij, N.V. (“KLM”).

2. This declaration, together with the annexed exhibit, is being submitted in support of KLM’s Response to Plaintiff’s Response to Order to Show Cause.

3. Attached hereto as Exhibit 1 is a true and correct copy of the September 4, 2023 New Yorker article, The Lies in Your Grocery Store, last accessed October 24, 2023, and publicly available at <https://www.newyorker.com/magazine/2023/09/11/the-lies-in-your-grocery-store>.

4. Attached hereto as Exhibit 2 is a true and correct copy of a screenshot of a webpage titled “Have You Recently Purchased Airline Tickets Through A Supposedly Eco-Friendly Company?” from the website of Sheehan & Associates, P.C. updated on July 24, 2022, last accessed October 24, 2023, and publicly available at

https://cases.spencersheehan.com/greenwashing-companies-ll?fbclid=IwAR3QOQ3o4tBI1qcxkO6j_1uzXuYtI5PoXSLd7KozpEiy5LMVrniSB53ClkU.

5. On July 7, 2023, the plaintiff's counsel filed a virtually identical lawsuit against KLM in the Eastern District of Virginia. *Long v. Koninklijke Luchtvaart Maatschappij, N.V.*, No. 3:23-cv-00435, ECF No. 1 (E.D. Va. July 7, 2023).

6. On July 27, 2023, KLM filed a motion to transfer the *Long* action to the Southern District of New York (the "Motion to Transfer"). *Long*, ECF No. 9.

7. On August 10, 2023, the plaintiff's counsel filed an opposition to KLM's Motion to Transfer. *Id.*, ECF No. 18.

8. On August 16, 2023, KLM filed a reply in support of its Motion to Transfer. *Id.*, ECF No. 19. The Motion to Transfer is pending decision.

Dated: October 24, 2023
New York, New York

/s/ Keara M. Gordon
Keara M. Gordon